

REMARKS/ARGUMENTS

Claims 1-24 are pending. Claims 1 and 9 were amended. No claims were canceled, added or withdrawn. Withdrawal of the outstanding rejections to the pending claims is respectfully requested in view of the following remarks.

35 USC §101 Rejections

Claims 1-16 stand rejected under 35 USC §101 because the claimed invention is directed to non-statutory subject matter. Claims 1 and 9 have been amended to indicate that the claimed computer-readable medium is tangible (E.g., system memory 204 of Fig.2). Claims 2-8 and 10-16 depend from respective ones of claims 1 and 9. Accordingly, claims 1-16 are directed to statutory subject matter.

Withdrawal of the 35 USC §101 rejection of claims 1-16 is requested.

35 USC §102 Rejections

Claims 1- 24 stand rejected under 35 USC §102(b) as being anticipated by US patent serial number 6,021,443 ("Brancho"). However, the Manual of Patent Examining Procedure (M.P.E.P.) states that a claim is anticipated by a reference **only** if each and every element as set forth in the claim can be found in the reference and, furthermore, that the **identical** invention **must** be shown in as complete detail as is contained in the claim.

A claim is anticipated **only** if each and every element set forth in the claim is found, either expressly or inherently described, in a single prior art reference. ... The **identical** invention **must** be shown **in as complete detail as is contained in the ... claim.**

(M.P.E.P. § 2131, subsection titled “TO ANTICIPATE A CLAIM, THE REFERENCE MUST TEACH EVERY ELEMENT OF THE CLAIM”, emphasis added). Each of the independent **claims 1, 9, and 17** include at least one feature not described by *Brancho*. For at least this reason, the rejections under 35 U.S.C. § 102 of the independent claims 1, 9 and 17, and **dependent claims 2-8, 10-16 and 18-24** that depend from respective ones of the independent claims, should be withdrawn. Examples of claim features not found in *Brancho* are given below.

Claim 1 recites in part:

- receiving at least one network attachment point change event subscription
- receiving at least one network attachment point change event publication
- for each network attachment point change event publication matching a network attachment point change event subscription, notifying the network attachment point change event subscriber of the matching published network attachment point change event.

The Action asserts that these claimed features are described by *Brancho* at Figs. 1 and 12; col. 4, line 34, through col. 5, line 62; col. 15, lines 1-42, and Fig. 10, col. 12, lines 45-55. Applicant respectfully disagrees.

Fig. 1 and column 4, line 34 through column 5, line 62 (describing Fig. 1) explicitly describes that event publishers and subscribers are connected to respective hubs (i.e., local connection points). "Hubs are used to transmit published events to all subscribers who have subscribed to events of that type, whose content matches this subscriber's subscription" (lines 49-51). Fig. 12 and column 15, lines 1-42, generally describes that before an event is sent to a subscriber, an event filter determines whether an event has content that falls within

parameters specified by the subscriber. Additionally this cited section describes that a subscriber may be directly or indirectly connected to a neighboring hub. "If a matching subscriber is connected to a neighboring hub, the current hub will route the event to the neighboring hub[,] [t]he current hub also will not route the event to a hub that has already seen the event". *Brancho* also describes that a current hub only routes an event to a neighboring hub a single time. Nowhere do these cited portions describe "receiving at least one network attachment point change event subscription from at least one network attachment point change event subscriber" and "receiving at least one network attachment point change event publication from at least one network attachment point change event publisher," as claim 1 requires.

Fig. 10 and description at column 12, lines 45-55 of *Brancho* describe use of "system events" to tell other hubs that changes have occurred in hub connections. Please note that *Brancho*'s **system events** are **not** described, or fairly suggested, to be **subscribed to events for subsequent publication**. Instead, *Brancho* describes that such "system events are [...] peer-to-peer messages" (column 18, line 62-64). Nowhere does *Brancho* describe that hubs subscribe to peer-to-peer system event messages associated with hub additions and receive peer-to-peer system event messages as a result of such subscriptions. Thus, a hub does not send/receive a subscription to/from another hub to receive hub connect and hub disconnect events because these are not events for subscription. Accordingly, *Brancho* cannot describe "receiving at least one network attachment point change event subscription", "receiving at least one network attachment point change event publication", and "for each network attachment point change event publication matching a network attachment point change event subscription,

notifying the network attachment point change event subscriber of the matching published network attachment point change event”, as claim 1 requires.

In view of the above, *Bracho* does not describe each and every element of claim 1 in as complete detail as is contained in the claim. Thus, *Bracho* cannot anticipate claim 1. **Independent claims 9 and 17** each include salient features similar to those of independent claim 1, and are therefore patentable for the same or similar reasons. **Dependent claims 2-8, 10-16 and 18-24** depend from respective ones of independent claims 1, 9 and 17, and are therefore patentable at least for reasons based on their respective dependencies on a respective allowable base claim.

Withdrawal of the 35 USC §102 rejection of claims 1-24 is requested.

Moreover, the dependent claims include further features that are not anticipated by *Bracho*. For example, **claim 2** recites “wherein each network attachment point change event publication comprises: **identification of an original network attachment point; and identification of a current network attachment point different from the original network attachment point**” (emphasis added). The Action asserts that these claimed features are described with respect to Fig. 5 through 7, column 10, line 18 through column 12, line 39, and column 5, lines 9-12. However, Applicant respectfully submits that the closest description to these examined features in these portions of *Bracho* is the description that a hub includes data objects representing each client of the current hub that is a subscriber and each neighboring hub connected to the current hub (Fig. 6a hub data structures, Fig. 6(b) description of data fields, and col. 11, lines 66 through column 12, line 2). Fig. 6(b) describes “RemoteAd” object of a hub

includes information that "represents a path between the current hub and the hub on which the publisher of the ad resides," including an "originating hub" (please see also column 12, lines 20-39). An additional "subscription" field (Fig. 6(b)) also includes data for an "add originating hub." Clearly, these explicit disclosures do not describe, or fairly suggest "wherein each network attachment point change event publication comprises: identification of an original network attachment point; and identification of a current network attachment point different from the original network attachment point," as claim 2 requires.

In view of the above, *Bracho* does not describe each and every element of claim 2. Therefore, the cited reference cannot anticipate claim 2. If these dependent claims are again rejected on the same basis, and since *Bracho* does not address a publication that includes original and current network attachment points, the Applicant respectfully request the examiner to particularly point out where the disclosure of *Bracho* describes these claimed features. **Dependent claims 11, 12, 18, 20, 21 and 22** each include salient features similar to those of independent claim 1, and are therefore patentable for the same or similar reasons. For these additional reasons, *Bracho* cannot anticipate these dependent claims. Withdrawal of the rejections to these dependent claims is requested.

Conclusion

Pending claims 1-24 are in condition for allowance and action to that end is respectfully requested. Should any issue remain that prevents allowance of the application, the Office is encouraged to contact the undersigned to discuss this case prior to issuing any subsequent Action.

Respectfully Submitted,

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